



Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

1011 North Grandview Avenue
Glendale, California 91201



Arnold Schwarzenegger
Governor

February 16, 2006

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mr. Steve Lafflam
The Boeing Company
Santa Susana Field Laboratory
Safety, Health and Environmental Affairs
5800 Woolsey Canyon Road
Canoga Park, California 91304-1148

7005 1820 0006 7120 9341

Mr. Mike Lopez
U.S. Department of Energy
1301 Clay Street
Oakland, California 94612-5208

7005 1820 0006 7120 9334

APPROVAL OF CLASS 2 PERMIT MODIFICATION REQUEST FOR CLOSURE PLAN FOR
THE HAZARDOUS WASTE MANAGEMENT FACILITY, SANTA SUSANA FIELD
LABORATORY, AREA IV (CAD000629972)

Dear Mr. Lafflam and Mr. Lopez:

The Department of Toxic Substances Control (DTSC) approves Boeing's Class 2 Permit Modification Request dated January 23, 2004 with conditions described herein and based on the approved Mitigated Negative Declaration dated February 16, 2006. DTSC's approval is pursuant to California Code of Regulations, title 22, section 66270.42.

DTSC received a Class 2 Permit Modification Request from The Boeing Company (Boeing) dated January 23, 2004 and a revised Closure Plan dated December 2003. The revised Closure Plan updated the closure of the Hazardous Waste Management Facility located in Area IV of the Santa Susana Field Laboratory, Ventura County. A public comment period for the Permit Modification Request was held from January 30 to April 30, 2004. DTSC also developed an Initial Study and a draft Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA). A public comment period was held for the draft Mitigated Negative Declaration from December 2, 2005 to January 17, 2006. DTSC received public comments during the two public comments periods and incorporated them into a Response to Comments Document (enclosed).

DTSC approves Boeing's Class 2 Permit Modification Request which modifies the Hazardous Waste Facility Permit for the Hazardous Waste Management Facility (Permit No. 93-3-TS-002, EPA ID CAD000629972) with the following conditions:

- 1) Where appropriate, Boeing shall use the revised Standardized Risk Assessment Methodology Work Plan, final dated September 2005, and any subsequent revisions if they become available during closure activities.

The revised Closure Plan dated December 2003 has been incorporated into the Permit by reference. Although the operating portions of the Permit have expired, the conditions of the Permit are enforceable until DTSC approves a Certification of Closure.

DTSC has prepared a CEQA Mitigated Negative Declaration for compliance with the California Environmental Quality Act. The Mitigated Negative Declaration will be filed with the State Clearinghouse, Governor's Office of Planning and Research. Mitigation measures in the Mitigated Negative Declaration are incorporated as enforceable conditions of the Permit Modification approval. The following conditions are added:

- 2) At least one pre-construction survey for nesting birds and legless lizards will be performed in the Building 29 site. Special actions, if needed, shall be performed by a qualified biologist.
- 3) Orange construction fencing, or equivalent protection, must be placed around the oak trees in the vicinity of Building 29. Where feasible, the construction fencing must be placed at least six feet outside the oak tree drip line.
- 4) The Braunton's milk-vetch in the vicinity of the Area IV Soil Borrow Pit must be delineated with orange construction fencing or equivalent.
- 5) All workers in the Area IV Borrow Pit must be notified of the locations of the Braunton's milk-vetch and instructed to avoid these areas.
- 6) At the Area IV Soil Borrow Pit, the Braunton's milk-vetch plants, and any potential seedbed in the immediate vicinity of these plants, must be avoided by project related activities.
- 7) If the project requires soil from the Soil Borrow Pit, then an additional biological survey must be performed prior to using the Soil Borrow Pit to update the locations of sensitive plant species.
- 8) While using the Soil Borrow Pit, dust control measures will be used to prevent dust from settling in the habitat for sensitive plant species.

In addition to the Hazardous Waste Facility Permit and the CEQA Mitigated Negative Declaration, The Boeing Company is required to adhere to all other applicable laws and regulations. For the potential handling of asbestos, the Ventura County Air Pollution Control District Rule 62.7 may apply.

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The decision to approve this Class 2 Permit Modification Request may be appealed in accordance with the California Code of Regulations, title 22, section 66271.18. These regulations provide that any person may petition the Department for review of any permit condition which has been changed or added from the permit modification request. In addition, any person who filed comments during the public comment period may petition the Department to review any condition of the permit modification. The petition must include a statement of the reasons supporting the request for review, including a demonstration that any issues being raised were raised during the public comment period, or were not reasonably ascertainable at the time of the public comment period. When appropriate, the petition must show that the condition in question is based on: 1) a finding of fact or conclusion of law which is clearly erroneous; or 2) an exercise of discretion or an important policy consideration which DTSC should review. A petition must be submitted to DTSC requesting a review of the permit decision within a 30 day appeal period beginning on February 20, 2006, and ending March 21, 2006. The Permit Modification becomes effective on March 22, 2006, unless a petition for review is filed. The petition must be sent to:

Mr. Watson Gin, P.E.
Deputy Director
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

A copy of the petition should also be sent to:

Mr. Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, California 91201

If you have any further questions concerning the approval of the permit modification request, you may contact Mr. Stephen Baxter, P.E. at (818) 551-2940.

Sincerely,

[original signed]

Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Hazardous Waste Management Program

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Enclosures

cc: Ms.Majelle Lee (w/o enclosures)
The Boeing Company
Santa Susana Field Laboratory
5800 Woolsey Canyon Road
Canoga Park, California 91304-1148

Mr. Brian Sujata
The Boeing Company
Santa Susana Field Laboratory
5800 Woolsey Canyon Road
Canoga Park, California 91304-1148

Mr. Steve Armann (w/o enclosures)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, California 94105

Mr. Watson Gin (w/o enclosures)
Deputy Director
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

Ms. Barbara Coler, Chief (w/o enclosures)
Permitting and Corrective Action Division
Hazardous Waste Management Program
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710

Ms. Karen Baker, C.E.G., Chief (w/o enclosures)
Geology, Permitting and Corrective Action Branch
Hazardous Waste Management Program
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

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cc: James Pappas, P.E., Chief (w/o enclosures)
Northern California Permitting and Corrective Action Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Mohinder Sandhu, P.E., Chief(w/o enclosures)
Standardized Permitting and Corrective Action Branch
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Ms. Wei-Wei Chui
Standardized Permitting and Corrective Action Branch
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Mr. Gerard Abrams
Northern California Permitting and Corrective Action Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Stephen Baxter
Southern California Permitting and Corrective Action Branch
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, California 91201

Mr. Hossein Nassiri (w/o enclosures)
Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

Ms. Bridget Fitzsenry (w/o enclosures)
Department of Toxic Substances Control
1001 I Street
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Sacramento, California 95812-0806